



EXPRESS MAIL NO. EV452774280US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Brines et al.	Confirmation No.:	5119
Serial No.:	09/717,057	Art Unit:	1647
Filed:	November 21, 2000	Examiner:	DeBerry, Regina M.
For:	MODULATION OF EXCITABLE TISSUE FUNCTION BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN	Attorney Docket No:	10165-010-999

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references EJ, FC and FD listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicants." Copies of references EJ, FC and FD are submitted herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the above-identified application.

Applicants believe that the fee for filing this Information Disclosure Statement is \$180.00. However, should the Patent Office determine otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed for accounting purposes.

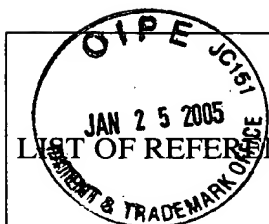
Respectfully submitted,

Date: January 25, 2005

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## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.

10165-009-999

APPLICATION NO

09/717,057

APPLICANT

Brines et al.

FILING DATE

November 21, 2000

GROUP

1647

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

EJ	Ehrenreich et al., 2002, "Erythropoietin therapy for acute stroke is both safe and beneficial," Molec. Med. 8:495-505.
FC	Bianchi et al., 2004, "Erythropoietin both protects from and reverses experimental diabetic neuropathy," PNAS 101:823-828.
FD	Agnello et al., 2002, "Erythropoietin exerts an anti-inflammatory effect on the CNS in a model of experimental autoimmune encephalomyelitis," Brain Research 952:128-134.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.